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SENATE BILL 1051

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Cisco McSorley

AN ACT

RELATING TO ETHICS; AMENDING THE GOVERNMENTAL CONDUCT ACT TO  
INCLUDE ALL ELECTED AND APPOINTED OFFICIALS AND PUBLIC  
EMPLOYEES OF THE STATE, INSTRUMENTALITIES OF THE STATE AND  
POLITICAL SUBDIVISIONS OF THE STATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 10-16-2 NMSA 1978 (being Laws 1967,  
Chapter 306, Section 2, as amended) is amended to read:

"10-16-2. DEFINITIONS.--As used in the Governmental  
Conduct Act:

A. "business" means a corporation, partnership,  
sole proprietorship, firm, organization or individual carrying  
on a business;

B. "confidential information" means information  
that by law or practice is not available to the public;

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1 C. "employment" means rendering of services for  
2 compensation in the form of salary as an employee;

3 D. "financial interest" means an interest held by  
4 an individual [~~his~~] or the individual's spouse or dependent  
5 minor children that is:

6 (1) an ownership interest in business; or

7 (2) any employment or prospective employment  
8 for which negotiations have already begun;

9 E. "official act" means an official decision,  
10 recommendation, approval, disapproval or other action that  
11 involves the use of discretionary authority;

12 F. "person" means an individual or entity;

13 G. "public officer or employee" means any [~~person~~  
14 ~~who has been elected to, appointed to or hired for any state~~  
15 ~~office and who receives compensation in the form of salary or~~  
16 ~~is eligible for per diem or mileage, but excludes legislators~~  
17 ~~and judges] elected or appointed official or employee of any  
18 department, agency, board, institution, branch or  
19 instrumentality of the state or of a political subdivision of  
20 the state;~~

21 H. "standards" means the conduct required by the  
22 Governmental Conduct Act; and

23 I. "substantial interest" means an ownership  
24 interest that is greater than twenty percent."

25 Section 2. EFFECTIVE DATE.--The effective date of the

.167031.1

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1 provisions of this act is July 1, 2007.

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